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E.O. 12958: DECL: 02/27/2018  
TAGS: [UNGA](#) [PREL](#) [AM](#) [AJ](#) [RU](#) [GE](#) [UP](#) [PBTS](#)  
SUBJECT: GUIDANCE FOR AZERBAIJANI UNGA RESOLUTION

REF: A. USUN 178  
[1](#)B. BAKU 129

Classified By: IO PDAS James B. Warlick, for reasons 1.4 (b) and (d).

[1](#)1. (U) This is an action request. See Para. 2.

[1](#)2. Action request: Department requests that USUN urge Azerbaijan's mission to the UN to work on an UNGA resolution that stresses that Kosovo is not a precedent for Nagorno-Karabakh (NK) or any other conflict. In order to secure U.S. support, such a resolution should be appropriately balanced, noting support for Azerbaijan's territorial integrity while stressing that the future status of NK is a matter for negotiations. The resolution should also express support for the current OSCE Minsk Group process. Post should draw from the background below and points in para 3 and background as necessary. Post should also consult with the French mission. Since a resolution text that addresses legal issues may have implications in other contexts (including in connection with claims of rights asserted by groups with respect to the USG), Department wishes to review any text before the USG commits to support it. End action request.

[1](#)3. (SBU) Department requests USUN draw on the following points in discussions with the Azerbaijani Mission:

-- In an expression of strong support for Azerbaijan's territorial integrity, the United States issued a statement immediately after we announced our recognition of Kosovo's independence stressing that Kosovo is not a precedent for NK or any other conflict.

-- We are willing to help secure a similarly worded resolution in the UN.

-- Such a resolution should be appropriately balanced, noting support for Azerbaijan's territorial integrity while stressing that the future status of NK is a matter for negotiations and must take into account relevant principles of international law. The resolution should also express support for the current OSCE Minsk Group process.

-- We recognize Azerbaijan's sovereign right to pursue resolutions on NK at the UN and in any other international fora, but we cannot support the current Azerbaijani draft, as it would damage our Minsk Group negotiating process that has brought us close to agreement on the Basic Principles of an NK settlement. We most likely will be compelled to vote against it.

-- As in the case of Azerbaijan,s draft resolution on wildfires in 2006, we would prefer to work together to reshape your draft into a constructive resolution, which bolsters Azerbaijan,s territorial integrity without jeopardizing the Minsk Group process.

¶4. (SBU) (if pressed on why Kosovo is a special case and not a precedent) Kosovo,s special circumstances include, among others, the following points:

- In 1999, NATO,s 19 allies reached the consensus decision to take collective action to remove Milosevic,s police and military forces from Kosovo.

- Kosovo is administered by the United Nations under U.N. Security Council resolution (UNSCR) 1244, unanimously adopted (with China abstaining) June 10, 1999, to address Milosevic,s actions. Elements of UNSCR 1244 include: denying Serbia a role in governing Kosovo; setting up an interim UN administration; providing for local self-government; and envisioning a UN-led political process to determine Kosovo,s future status.

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Background  
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¶5. (C) In response to ref A, Department concurs with Embassy Baku that the Government of Azerbaijan's resolution on "the situation in the occupied territories of Azerbaijan" is driven by two factors. First, Azerbaijan has long sought to broaden support for its position on NK in a variety of international fora, especially in the UN, in the hope of increasing its leverage in Minsk Group negotiations. Second, Azerbaijan's concern about Kosovo is a genuine (albeit short-term) driver. When Ambassador Derse demarched FM Mammadyarov on Kosovo independence, he made it clear that, for domestic political reasons, he would have to take immediate action to show that Azerbaijan would not accept Kosovo as a precedent for NK. He said explicitly that Azerbaijan would consider an UNGA resolution to this effect ) & either the GUAM resolution or our own8 (reported in ref B). Azerbaijan also has announced its intent to withdraw its peacekeepers from Kosovo.

¶6. (C) The resolution as drafted presents only the Azerbaijani positions on the Nagorno Karabakh, including territorial integrity, refugees, and territories without parallel reference to self-determination or Armenian equities.

¶7. (C) Department seeks to work with Azerbaijan to transform this problematic resolution into a more helpful (or at least less objectionable one) that reiterates our support for Azerbaijan,s territorial integrity by declaring that Kosovo is sui generis and not a precedent for other conflicts. Department and Embassy Baku agree that Azerbaijan probably would support such a resolution if:

-- it embraces the principle of territorial integrity without stressing the principle of self-determination of peoples, (which we cannot accept); and

-- explicitly refers to NK.

¶8. (C) FM Mammadyarov and DFMs Azimov and Khalafov have asked that USG public statements explicitly note that Kosovo is not a precedent for NK. Embassy Baku issued such a statement, cleared by the Department, immediately after U.S. recognition of Kosovo's independence. The Department concurs with the Embassy's judgment that Azerbaijan probably would initially seek to maintain its draft resolution alongside a separate resolution on Kosovo not being a precedent, particularly if the Azerbaijani delegation to the UN judges it can get its resolution passed. The MFA reported to the Embassy that it believes it has strong support for its draft resolution, and has clearly been working hard over the past year to build support internationally. Department recommends

that USUN ascertain the level of support for this resolution.

Azerbaijan likely has strong support for its position within the OIC and NAM, with which it has coordinated on many issues over the last few years to swap votes in pursuit of support on NK.

19. (C) Department notes that the Under Secretary Burns pledged to Armenian FM Oskanian in September 2006 that the U.S. would not support any UN resolution on NK that was unbalanced with regard to embracing the principle of territorial integrity of states to the exclusion of the principle of self-determination of peoples. Russian and French Minsk Group Co-Chairs are also strongly opposed to the current draft resolution and have urged us to show solidarity within the Minsk Group by telling Azerbaijan we will vote against it. Please note that the Azerbaijani Deputy Foreign Minister told Embassy Baku that the proposal of a resolution that makes it clear Kosovo is not a precedent for NK is "not acceptable." Azimov said the words "self-determination and territorial integrity" are extremely important for the UNGA resolution.

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